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has the same sound. The latter name is applied as a proposed segregate with *Sideritis syriaca* Linn., as type. As we are unable to find that any other attempt has been made to name them Chenopodiaceous plant all in the Kew Index being apparently proposed segregates that might at any time be reserved for their proper groups if raised to generic standing it is necessary to give a new one, for which **Bushiola** is proposed herewith.

BUSHIOLA Nwd. Nom. Nov.

Kochia Roth l. c. (1799) not *Cocchia* Brevel, l. c. (1770).

Bushiola Scoparia (Linn.) Nwd.

Kochia Scoparia (Linn.) Roth. Neues Jour. Bot., III, 85, (1809), *Chenopodium Scoparia* Linn., Sp. Pl., 221 (1753).

PROPER PUBLICATION.

That any code putting restrictions for expediency on "starting points" arbitrarily chosen for beginning nomenclature, contains within itself its germs of destruction, will some day be conclusively admitted, as better knowledge and far-sighted logic throw more light on these problems. Nevertheless in matters of plant names we fail to see that a logical structure can not be built on a faulty foundation without ending in chaos. Most of our latest codes and the American with them agree to accept 1753 as the beginning of nomenclature for botany. No generic descriptions having been made in Linnaeus' *Species Plantarum*, the generic names are to be accepted as to their validity for "proper" publication by reference to the *Genera Plantarum* of 1754 with a special provision of code to cover this specific instance. In the Vienna Code rules we are told that "the rules of nomenclature should be neither arbitrary nor imposed by authority," (Art. 3) and then it proceeds in the most high-handed and arbitrary manner to publish over 20 pages of *nomina conservanda* that *must* be retained; and this because the code makers can give no good reason why they should be. This is done, too, without any attempt at exciting our humorous feelings.

Already, much dogmatic and canonical teaching has gone forth as to what constitutes "proper publication." It is not sufficient that for a validity of a name we be quite certain as to its identity. Among these "canons" required in order that

a name be "properly published" according to certain followers of the American Code¹ we have the one that a genus must have a "reference to a specific description which is associable by citation to a *previously published binomial* species." (Rule 3. Canon 10, Am. Code). In order to make this statement reasonable and logical, it will be necessary again to make an exception in the favor of Linnaeus himself, just as arbitrary as any of the above mentioned cases. Unless we do this, then at least three of the Linnaean genera of the *Species Plantarum* of 1753 were never "properly published," at least by Linnaeus in 1753, namely *Musaenda*, *Erythronium*, *Hydrocharis*.

None of these are published in his work *either with or by direct citation to a binary name*. They are there monotypic, having only the species *Musaenda fructu frondoso*, *Erythronium Dens canis* and *Hydrocharis Morsus Ranae*, and these are *not binomials*, nor were two of them at least *binomials* in the second edition of 1762-3.

Are we then to consider these names as not "properly published?" That the exponents of the code do consider them "properly published" is evident from the fact that they use these names in their floras and manuals as attributed to Linnaeus (1753),² though not perhaps without surreptitious, and may I add perhaps, dishonestly inserted hyphens, in order that the unwary might not suspect. Necker's names may be rejected for a purpose, but Linnaean ones under similar conditions are to be accepted, nor are the descriptions of either author of themselves more than poor, the advantage if any being in favor of Necker. It would seem then that the more we increase the number of "rules" and "canons" of "codes," the more we are obliged to have arbitrary exceptions thereto, thus ending it all in a flood of dogmatic lawlessness, or making confusion worse confounded. When rules are made let the "codists" at least honestly try to keep them.

¹ Bull. Torr. Cl. XXXXII, 117 (1915).

² Britton and Brown, Ill. Fl. N. Am. 1, 505, (1913).